

EXHIBIT F

From: [Erin Wilcox](#)
To: [Stephens, Ben](#); [Rodriguez, Shellee](#); [Joshua P. Thompson](#); [bsileo@hhstxlaw.com](#); [bharris@hhstxlaw.com](#); [Eckert, Darah - LGL](#); [lori.yount@houstontx.gov](#); [Anastasia P. Boden](#)
Cc: [Gomez, Sandy](#); [Dillard, Jarett](#)
Subject: RE: 4:23-cv-03516 Landscape Consultants of Texas, Inc. et al v. City of Houston, Texas et al
Date: Thursday, September 19, 2024 10:33:23 AM
Attachments: [image001.png](#)

[EXTERNAL EMAIL]

Thanks Ben. To make sure we're on the same page, I'm interpreting your last email as rejecting Plaintiffs' deposition scheduling compromise and stating that your client opposes Plaintiffs' motion for a protective order against the deposition noticed for September 25. If I have either of those points wrong, please clarify by COB today. Because Plaintiffs will be seeking a protective order, Mr. Thompson will not be present on September 25.

Erin Wilcox | Attorney
Pacific Legal Foundation
555 Capitol Mall, Suite 1290 | Sacramento, CA 95814
916.419.7111



**PACIFIC LEGAL
FOUNDATION**

Defending Liberty and Justice for All.

From: Stephens, Ben <Ben.Stephens@huschblackwell.com>
Sent: Wednesday, September 18, 2024 4:42 PM
To: Erin Wilcox <EWilcox@pacificlegal.org>; Rodriguez, Shellee <Shellee.Rodriguez@huschblackwell.com>; Joshua P. Thompson <JThompson@pacificlegal.org>; bsileo@hhstxlaw.com; bharris@hhstxlaw.com; Eckert, Darah - LGL <darah.eckert@houstontx.gov>; lori.yount@houstontx.gov; Anastasia P. Boden <ABoden@pacificlegal.org>
Cc: Gomez, Sandy <Sandy.Gomez@huschblackwell.com>; Dillard, Jarett <Jarett.Dillard@huschblackwell.com>
Subject: RE: 4:23-cv-03516 Landscape Consultants of Texas, Inc. et al v. City of Houston, Texas et al

Erin, we're entitled to depose Mr. Thompson within the discovery period on the dates you gave us for his individual deposition, and have noticed his deposition accordingly.

I note we requested dates for Mr. Thompson individually on August 28, prior to serving any notice of deposition (a courtesy not similarly extended to us). You provided us dates for his individual deposition fifteen days later on September 12, telling us he was available "through the end of the discovery period" excluding only four dates. I cannot see how taking his deposition on a date you told us we could take his deposition presents an undue burden.

If you have authority requiring us to take his individual deposition at the same time as the corporate representative deposition of the two plaintiffs, or authority supporting the other conditions you are now placing on presenting him and your clients for deposition, I would be interested in seeing it. But we plan on going forward with his individual deposition on the date you told us he was available for an individual deposition, within the discovery period.

Ben Stephens
Partner
Direct: 713-525-6263
Mobile: 915-525-2431
Ben.Stephens@huschblackwell.com

From: Erin Wilcox <EWilcox@pacificlegal.org>
Sent: Wednesday, September 18, 2024 3:55 PM
To: Rodriguez, Shellee <Shellee.Rodriguez@huschblackwell.com>; Joshua P. Thompson <JThompson@pacificlegal.org>; [bsileo@hhstxlaw.com](#); [bharris@hhstxlaw.com](#); Eckert, Darah - LGL <darah.eckert@houstontx.gov>; [lori.yount@houstontx.gov](#); Anastasia P. Boden <ABoden@pacificlegal.org>
Cc: Stephens, Ben <Ben.Stephens@huschblackwell.com>; Gomez, Sandy <Sandy.Gomez@huschblackwell.com>; Dillard, Jarett <Jarett.Dillard@huschblackwell.com>
Subject: RE: 4:23-cv-03516 Landscape Consultants of Texas, Inc. et al v. City of Houston, Texas et al

[EXTERNAL EMAIL]

Ben and team,

Requiring Mr. Thompson and his counsel to attend the individual and corporate depositions on separate days – when all depositions could easily be held on the same day – is an unacceptable waste of time and money. Your failure to timely notice the Landscape and Metropolitan 30(b)(6) depositions does not justify this undue burden and expense on Mr. Thompson and

his counsel. Further, waiting until a week prior to notify us of your choice of deposition date while simultaneously canceling the deposition Plaintiffs noticed weeks ago only compounds this problem.

We will consent to scheduling Mr. Thompson's individual deposition and the Landscape and Metropolitan 30(b)(6) depositions after the close of discovery on September 30, provided that 1) all three depositions with Mr. Thompson as the witness are scheduled for the same or consecutive days; 2) the depositions are postponed until the court has ruled on Houston's motion for a protective order so that, if denied, all party depositions may be scheduled consecutively; and 3) Houston provides notice of the Landscape and Metropolitan 30(b)(6) topics by COB on Friday, September 20.

If you do not agree to this compromise, Plaintiffs will be forced to seek a protective order against the deposition noticed for September 25 on the grounds that it is unduly burdensome and not properly noticed. In that event, please inform me of your position on this motion by COB tomorrow, September 19.

Sincerely,
Erin

Erin Wilcox | Attorney
Pacific Legal Foundation
555 Capitol Mall, Suite 1290 | Sacramento, CA 95814
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**PACIFIC LEGAL
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From: Rodriguez, Shellee <Shellee.Rodriguez@huschblackwell.com>

Sent: Tuesday, September 17, 2024 4:21 PM

To: Erin Wilcox <EWilcox@pacificlegal.org>; Joshua P. Thompson <JThompson@pacificlegal.org>; bsileo@hhstxlaw.com; bharris@hhstxlaw.com; Eckert, Darah - LGL <darah.eckert@houstontx.gov>; lori.yount@houstontx.gov; Anastasia P. Boden <ABoden@pacificlegal.org>

Cc: Stephens, Ben <Ben.Stephens@huschblackwell.com>; Gomez, Sandy <Sandy.Gomez@huschblackwell.com>; Dillard, Jarrett <Jarrett.Dillard@huschblackwell.com>

Subject: 4:23-cv-03516 Landscape Consultants of Texas, Inc. et al v. City of Houston, Texas et al

Counsel,

Attached please find Notice of Intention to Take Oral and Videotaped Deposition of Gerald Thompson.

Thank you,

Shellee Rodriguez
Paralegal

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